The Chávez Wagon Box

The wagon "jockey box" carried by Don Antonio José Chávez was still with the looted wagon when it was pulled from Owl Creek. The wagon box was returned to the family in New Mexico. In 1987, Marc Simmons, author of Murder on the Santa Fe Trail, recognized that the wagon box was in the possession of a New Mexico collector. In 1998, Dr. David Cloppaddle of Larned, Kansas, was able to secure the Wagon Box on loan from New Mexico. Additional negotiations resulted in the purchase of the wagon box with the agreement that it would have permanent home at the Coronado Quivira Museum in Lyons, Kansas where it resides today.

The Chávez Murder

Don Antonio José Chávez was a well-to-do trader from Santa Fe. Antonio José and two of his brothers worked to maintain the family fortune which had been established by the Chávez family. The Chávez family was an old and distinguished family, originally from Spain. The family had been prominent in New Mexico since the founding of the province in 1598. The brother's father, Francisco Xavier Chávez, had been the first governor of New Mexico after Mexican independence, taking office on July 5, 1822.

The Chávez fortune was founded on a variety of business enterprises: raising sheep, investments in mining and freighting. The mining activities included gold mines. Most of the gold extracted was dust, flakes and nuggets. A significant amount of this gold was transported over the Santa Fe Trail from New Mexico to Missouri. When Antonio José Chávez departed on his last trip, he carried four pounds of gold dust in his pouch.

The business that produced the most income for the brothers was the freighting business between the United States and New Mexico over the Santa Fe Trail and into the interior of Mexico via the camino real. The Chávez brothers bought American and European products in the United States, transported the goods to New Mexico, and then shipped them to Mexico.

In July, 1842, Colonel William A. Christy, a close friend of Texas President Sam Houston, sent a letter proposing an expedition to overthrow the provincial governments in New Mexico and Chihuahua to win allegiance of these regions for Texas. Christy's recommendation for the expedition leader was Charles Warfield. Houston endorsed Warfield and provided him with the credentials to carry out the invasion under the flag of the Republic of Texas. Houston emphasized that invasion would be based on "civilized and honorable warfare." But that was not to be.

Warfield was granted complete discretion in recruiting his men. The broad power and military title granted to Warfield was a license for criminal activity. Among the first recruits were brothers John and David McDaniel, from Liberty in Clay County Missouri. John McDaniel was enrolled as a captain in the expedition. John McDaniel was said to have spent time in Texas, first in the militia and later as an outlaw, reportedly having committed several killings.

McDaniel's lack of leadership ability coupled with his arrogant attitude resulted in his failure to recruit the men required for the mission. Consequently, he hired 14 men from the Missouri areas. They were drawn by McDaniel's promises of the easy prey in the form of the Mexican traders. The gang included: John and David McDaniel, Joseph Brown, William Mason, Thomas Towsen, Schuyler Oldham, Gallatin and Christopher Searcy, Samuel O. Berry (or O'Berry), Nathaniel H. Morton, Benjamin F. Tobert (or Talbert or Talibart), William F. and Doctor Benjamin F. Tobert, John McCormick, and Dr. Joseph R. De Prefontaine. The recruits came from Clay County and Jackson County Missouri and Independence and Westport. Prior to recruitment, most of the men were respected citizens.

About April 1st, 1843, McDaniel and his recruits left Westport and set out west following the Santa Fe Trail. Behind them, it had become common knowledge that their intention was to attack the spring caravan of Mexican traders due shortly from Santa Fe. Citizens of Lyons, Kansas, where it resides today.

Source


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Independence had sent a letter back in March to the government, specifically to the superintendent of Indian Affairs warning of the plans of the McDaniel group. The government response was slow, and there was no alarm based on Warfield’s disclaimer of any plans to attack U.S. citizens. Warfield did claim that he was within his rights to rob the citizens of Mexico who he may meet, provided they are within the U.S. borders. By the time the government responded, McDaniel was well on his way down the Santa Fe Trail.

Don Antonio José Chávez made two mistakes. He got his caravan left too early in the season and with too few men. The caravan originally numbered 20 men, two wagons and 55 mules. After bitter cold caused frostbite and killed most of the mules, 15 men deserted on the plains between the Cimarron and Arkansas Rivers. At that point, one of the wages had to be abandoned, and Chávez continued east with 5 men and the single wagon. Near Pawnee Rock and the Great Bend of the Arkansas River, the Chávez party was in such dire shape that a servant was sent ahead to bring back help. Chávez was dedicated in 1998 near the site of the incident. The five Mexicans servants who had been with Chávez were imprisoned for 229 days to ensure their appearance at the trial. The indictments were filed September 16, 1843. Dr. Prefontaine, Nathaniel Morton, John McCormack, William Harris and Samuel Berry were brought to a speedy trial on a charge of larceny. Dr. Prefontaine was found guilty. He was fined $1000 and given a year in prison. The jury failed to agree on the other four defendants so the Judge order new trials in April, 1844, the same dates as the McDaniel group.

The cases for the four men charged with larceny were speedy, with Harris and McCormack fined $10 and sentenced to nine months. Morton received the same sentence. Charges against Berry were dropped for turning state’s evidence and he was released on May 18th.

Some of the most valuable testimony was provided by the Chávez servants, who testified as witnesses to the murder. All four men, the McDaniels, Brown and Towson where found guilty. The first three were sentenced to hang. Judgement on Towson was suspended because he was considered mentally defective.

By a series of delays, the execution of John McDaniel and Joseph Brown was carried out on August 16, 1844. A total of $3,600 in gold dust, silver bullion and doubloons was recovered from the men.

Once behind bars, Berry made a full confession and the efforts to capture the rest of the participants was increased. New posses were formed and the next to be captured was Joseph Brown, who was found on a steamer leaving Camden. He had $500 in his possession.

The Searcy brothers boarded the steamer Weston at Westport, rode 12 miles up the river and disembarked at Parks Landing, where they disappeared into the back country and were not heard of again.

By coincidence, Reuben Gentry was also on the Weston. He did not recognize the Searcy brothers, but did notice three rough-looking men, who turned out to be John McDaniel and David McDaniel and Mason. Gentry sent word ashore and a posse met the boat. The McDaniels and Berry were arrested a short time later in Liberty Missouri. A total of $3,600 in gold dust, silver bullion and doubloons was recovered from the men.

The Searcy brothers were sentenced to hang. Judith Towson was suspended because he was considered mentally defective.

Don Antonio José Chávez was sent out to be John McDaniel, David McDaniel and Thomas Towson and on the return trip about 150 miles from the settlements, he was caught. The McDaniels, David McDaniel and Thomas Towson on October 22, 1845, they were granted pardons.

In more recent years, the late Don and Lil Zwick, owned the Rice County Kansas land along Owl (now Jarvis) Creek where the incident occurred. The Zwicks, along with Dr. David Clapsaddle and the Wet/Dry Routes Chapter of the Santa Fe Trail Association, erected a monument to commemorate the event. The monument to Don Antonio José Chávez was dedicated in 1998 near the site of the murder along Jarvis Creek, southeast of Lyons, Kansas.

The remaining outlaws drew straws to determine who would do the shooting and John McDaniel took Chávez out from the camp. They were followed by David McDaniel, Mason and Brown. John McDaniel shot Chávez, who ran a short distance before McDaniel fired again. Mason fired the last shot.

McDaniel searched the dead man and found a money belt containing 39 gold doubloons. This initiated another search of the wagons, where the thieves found about $3000 of gold dust in a trunk to split between the remaining members of the gang. The body of the unfortunate Chávez was tossed into the gulley of Owl Creek.

Prior to Gentry’s arrival at Independence with the news of suspected foul play, the alarm that the citizens of Independence sent out in March had finally got the attention of the authorities. On April 10th, Colonel Stephen Watts Kearney ordered two companies of dragoons from Fort Leavenworth and one from Fort Scott to rendezvous at Westport on May 10th. These troops would march to the border to provide escort for those engaged in lawful trade between Mexico and the United States.

Wolves had reached the body first. Chávez was shot and killed.

When Gentry’s news of Chávez reached Independence, a posse of twenty men lead by William Gilpin arrived on April 19th. These troops would march east and left the Chávez party in the hands of Gentry.

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